



## WESTERN GOVERNORS' ASSOCIATION

Dave Freudenthal  
Governor of Wyoming  
Chairman

Jon M. Huntsman, Jr.  
Governor of Utah  
Vice Chairman

Pam O. Inmann  
Executive Director

Headquarters:

1600 Broadway  
Suite 1700  
Denver, CO 80202

303-623-9378  
Fax 303-534-7309

Washington, D.C. Office:  
400 N. Capitol Street, N.W.  
Suite 388  
Washington, D.C. 20001

202-624-5402  
Fax 202-624-7707

[www.westgov.org](http://www.westgov.org)

November 12, 2007

The Honorable Mark Udall  
100 Cannon House Office Bldg.  
Washington, D.C. 20515

The Honorable Steve Pearce  
1607 Longworth House Office Bldg.  
Washington, D.C. 20515-3102

Dear Representative Udall and Representative Pearce:

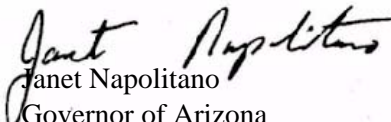
On behalf of the Western Governors' Association, we commend you for introducing H.R. 4011, "Good Samaritan Cleanup of Abandoned Hardrock Mines Act of 2007." The Western Governors support this bill and urge that it be enacted this Congress.


The Western Governors have consistently identified Good Samaritan legislation as one of our high priorities regarding water quality, as abandoned and inactive mines are responsible for many of the greatest threats and impairments to water quality across the Western United States. Your legislation will provide States and other possible Good Samaritans important Clean Water Act liability protections necessary to conduct voluntary cleanups. These protections will result in cleanups of historic mining impacts across the West while assuring that the cleanups continue to protect and improve the environment.


The Western Governors acknowledge that liability concerns can also arise for Good Samaritans under CERCLA. Addressing these CERCLA liabilities will undoubtedly result in yet additional cleanups. WGA commends the EPA for issuing the "Good Samaritan Administrative Tools" in June 2007, and believes these tools address significant legal uncertainties under CERCLA. However, some CERCLA liabilities for Good Samaritans will likely require a legislative fix. We look forward to working with you and the committees of jurisdiction to explore separate legislation that would remove CERCLA liabilities for Good Samaritan cleanups, while serving to protect and improve the environment.


Again, we commend you for introducing H.R. 4011 and urge its passage this Congress.

Sincerely,

  
Janet Napolitano  
Governor of Arizona  
WGA Lead Governor

  
Bill Ritter  
Governor of Colorado  
WGA Lead Governor

  
Mike Rounds  
Governor of South Dakota  
WGA Lead Governor

  
Bill Richardson  
Governor of New Mexico  
WGA Lead Governor

cc:     The Honorable James Oberstar, Chair, House Transportation and  
          Infrastructure Committee  
          The Honorable John Mica, Ranking Member, House Transportation and  
          Infrastructure Committee  
          The Honorable Eddie Bernice Johnson, Chair, Water Resources and  
          Environment Subcommittee  
          The Honorable Richard Baker, Ranking Member, Water Resources and  
          Environment Subcommittee  
          The Honorable Stephen Johnson, U.S. Environmental Protection Agency